



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
08/753,750	11/29/96	LO	R 63637-0102

0272/0102

JAMES REMENICK  
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1814

DATE MAILED:

01/02/97

**NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for large entities or \$ 65 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a ☒ large entity, ☐ small entity (verified statement filed), is \$ 1418.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. ☒ The statutory basic filing fee is: ☒ missing ☐ insufficient. Applicant as a ☒ large entity ☐ small entity, must submit \$ 770 to complete the basic filing fee.
2. ☒ Additional claim fees of \$ 518 as a ☒ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3. ☐ The oath or declaration:  
☐ is missing.  
☐ does not cover items omitted at time of execution.  
  
An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.
4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
5. ☒ The signature(s) to the oath or declaration is/are: ☒ missing; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration:  
  
An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.
7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ \_\_\_\_\_ under 37 CFR 1.17(k), unless this fee has already been paid.
8. ☐ A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).
9. ☐ Your filing receipt was mailed in error because your check was returned without payment.
10. ☒ The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.
11. ☐ Other.

Direct the response and any questions about this notice to, Attention: Application Processing Division, Special Processing and Correspondence Branch (703) 308-1202.

**A copy of this notice *MUST* be returned with the response.**

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 8230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). —
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant must provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123

For CRF submission help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**Please return a copy of this notice with your response.**



**SUBMISSION OF EXECUTED DECLARATION NOT  
ACCOMPANYING ORIGINALLY FILED APPLICATION,  
BASIC FILING FEE, AND VERIFIED STATEMENT  
CLAIMING SMALL ENTITY STATUS**

Responsive to the attached U.S. Patent and Trademark Office "Notice To File Missing Parts of Application," mailed January 2, 1997, applicants are submitting herewith the executed Declaration and basic filing fee for the above application. Accordingly, it is respectfully submitted that this application is entitled to a filing date of November 29, 1996, the date upon which the specification and drawings were received by the U.S. Patent and Trademark Office mail room.

Additionally, applicants are submitting herewith three Verified Statements Claiming Small Entity Status under 37 C.F.R. §§ 1.9(d)(f) and 1.27(c)(d) as a nonprofit organization, and small business concern. Submission of the attached Verified Statements is believed to entitle applicants to pay reduced fees in accordance with Patent and Trademark Office rules. Accordingly, the filing fee is calculated as follows:

Basic Filing Fee (1/2 reduction)	\$ 385.00
Total Claims = 29 (9 x 11)	\$ 99.00
Independent Claims = 7 (4 x 40)	\$ 160.00
Three-month Extension Fee	\$ 465.00
Late Filing Fee	\$ <u>65.00</u>
<b>TOTAL AMOUNT ENCLOSED</b>	<b>\$1,174.00</b>

A check in the amount of \$1,174.00 is attached to cover the basic filing fee, additional claims fee, and the fee for filing a declaration not accompanying the originally

filed application. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge any difference to the undersigned's Deposit Account No. 02-0375.

Respectfully submitted,  
BAKER & BOTTS, L.L.P.

Date: May 2, 1997

By: 

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